

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ JAN 10 2019 ★

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

Case # 1 ~~02-cr-403-001~~ (ARR)

UNITED STATES OF AMERICA,

Plaintiff

-vs.-

WILLIAM COBB,

Defendant

Motion Pursuant to Section 404 of the
First Step for Retroactive Application
of the Fair Sentencing Act of 2010

Now comes the Defendant, William Cobb, respectfully requesting that this Court apply Section 404 of the First Step Act to my sentence, which should be reduced because the Fair Sentencing Act of 2010 has now been made retroactive.

On April 21, 2004, the Defendant was sentenced to a term of imprisonment following a conviction on a crack cocaine-related offense. At this time, the Defendant is currently housed at the McKean Federal Prison Camp in Bradford, PA with a projected release date of 04-22-2022. For the Court's reference, a copy of the sentence computation sheet is attached hereto.

On December 21, 2018, President Trump signed the First Step Act into law, which made the Fair Sentencing Act retroactive. The Fair Sentencing Act was designed to eliminate sentencing disparity between crack cocaine and powder cocaine, but was not made retroactive until the First Step Act became law.

WHEREFORE, Defendant respectfully requests that this Court immediately reduce the term of imprisonment in this case. Thank you very much for your consideration.

Respectfully Submitted,

William Cobb 11595-052

William Cobb # 11595-052
McKean FCI - P.O. Box 8000
Bradford, PA 16701

January 4, 2019

MCKDQ 540*23 *
PAGE 001 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 11-28-2018

* 11-28-2018
* 09:24:43

REGNO...: 11595-052 NAME: COBB, WILLIAM

FBI NO.....: 36256JA3 DATE OF BIRTH: 05-16-1968 AGE: 50
ARS1.....: MCK/A-DES
UNIT.....: E QUARTERS.....: E01-101L
DETAINEES.....: NO NOTIFICATIONS: NO

HOME DETENTION ELIGIBILITY DATE: 10-22-2021

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.
THE INMATE IS PROJECTED FOR RELEASE: 04-22-2022 VIA GCT REL

-----CURRENT JUDGMENT/WARRANT NO: 010 -----

COURT OF JURISDICTION.....: NEW YORK, NORTHERN DISTRICT
DOCKET NUMBER.....: 1:02-CR-403-001
JUDGE.....: KAHN
DATE SENTENCED/PROBATION IMPOSED: 04-21-2004
DATE COMMITTED.....: 07-29-2004
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT
PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED..:	\$100.00	\$00.00	\$00.00	\$00.00

RESTITUTION...: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----CURRENT OBLIGATION NO: 010 -----

OFFENSE CODE.....: 409
OFF/CHG: 21:841(A)(1) AND (B)(1)(B)-POSSESSION WITH INTENT TO
DISTRIBUTE AND DISTRIBUTION OF COCAINE BASE (CRACK COCAINE)

SENTENCE PROCEDURE.....: 3559 PLRA SENTENCE
SENTENCE IMPOSED/TIME TO SERVE.: 120 MONTHS
TERM OF SUPERVISION.....: 8 YEARS
DATE OF OFFENSE.....: 10-07-2002

-----CURRENT JUDGMENT/WARRANT NO: 020 -----

COURT OF JURISDICTION.....: NEW YORK, EASTERN DISTRICT
DOCKET NUMBER.....: CR-04-203 (ARR)
JUDGE.....: ROSS
DATE SENTENCED/PROBATION IMPOSED: 08-15-2006

G0002 MORE PAGES TO FOLLOW . . .

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SENTENCE MONITORING
COMPUTATION DATA
AS OF 11-28-2018

* 11-28-2018
* 09:24:43

REGNO...: 11595-052 NAME: COBB, WILLIAM

DATE COMMITTED.....: 09-06-2006
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT
PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED..:	\$200.00	\$00.00	\$00.00	\$00.00

RESTITUTION...: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----CURRENT OBLIGATION NO: 010 -----

OFFENSE CODE....: 391
OFF/CHG: 21:846,21:841(A)(1),21:841(B)(1)(A)(III),21:841(B)(1)(B)(II)(I
I):CONSPIRACY TO DISTRIBUTE AND POSSESS WITH COCAINE BASE AND
COCAINE 21:841(A)(1)&21:841(B)(1)(C):DISTRIBUTION & POSSESSION
WITH INTENT TO DISTRIBUTE COCAINE BASE

SENTENCE PROCEDURE.....: 3559 PLRA SENTENCE
SENTENCE IMPOSED/TIME TO SERVE.: 240 MONTHS
TERM OF SUPERVISION.....: 5 YEARS
RELATIONSHIP OF THIS OBLIGATION
TO OTHERS FOR THE OFFENDER....: C/C
DATE OF OFFENSE.....: 10-07-2002

-----CURRENT COMPUTATION NO: 010 -----

COMPUTATION 010 WAS LAST UPDATED ON 12-29-2017 AT DSC AUTOMATICALLY
COMPUTATION CERTIFIED ON 12-29-2017 BY DESIG/SENTENCE COMPUTATION CTR

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
CURRENT COMPUTATION 010: 010 010, 020 010

G0002 MORE PAGES TO FOLLOW . . .

MCKDQ 540*23 *
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SENTENCE MONITORING
COMPUTATION DATA
AS OF 11-28-2018

* 11-28-2018
* 09:24:43

REGNO...: 11595-052 NAME: COBB, WILLIAM

DATE COMPUTATION BEGAN.....: 04-21-2004
AGGREGATED SENTENCE PROCEDURE...: AGGREGATE GROUP 800 PLRA
TOTAL TERM IN EFFECT.....: 22 YEARS 3 MONTHS 25 DAYS
TOTAL TERM IN EFFECT CONVERTED...: 22 YEARS 3 MONTHS 25 DAYS
AGGREGATED TERM OF SUPERVISION...: 8 YEARS
EARLIEST DATE OF OFFENSE.....: 10-07-2002

JAIL CREDIT.....: FROM DATE THRU DATE
10-07-2002 04-20-2004

TOTAL PRIOR CREDIT TIME.....: 562
TOTAL INOPERATIVE TIME.....: 0
TOTAL GCT EARNED AND PROJECTED...: 1013
TOTAL GCT EARNED.....: 822
STATUTORY RELEASE DATE PROJECTED: 04-22-2022
EXPIRATION FULL TERM DATE.....: 01-29-2025
TIME SERVED.....: 16 YEARS 1 MONTHS 23 DAYS
PERCENTAGE OF FULL TERM SERVED...: 72.3

PROJECTED SATISFACTION DATE.....: 04-22-2022
PROJECTED SATISFACTION METHOD...: GCT REL

REMARKS.....: DOCKET CR-04-203, ENTERED 08-15-06, HAS BEEN ORDERED TO RUN
C/C TO DOCKET 1:02-CR-403, WHICH HAS EFFECTUATED A CONCURRENT
OVERLAP SITUATION MAKING THE TIE FOR THIS AGGREGATED SENTENCE
22 YEARS, 3 MONTHS & 25 DAYS. 12-04-09: DIS GCT TAKEN BY DSCC.
JEE/D 12-29-17:OFFENSE CODE/CHARGES UPDATED. JDB/D

G0000 TRANSACTION SUCCESSFULLY COMPLETED